

Treadwell, Sarah@Waterboards

From: Treadwell, Sarah@Waterboards
Sent: Tuesday, May 30, 2023 8:57 AM
To: Ryan Hiete; Ciccarelli, Paul@Waterboards
Cc: mathys@orofinancial.net; kmccune@cityofsantamaria.org; sspringer@cityofsantamaria.org; cng@cityofsantamaria.org; twatson@cityofsantamaria.org; jstilwell@cityofsantamaria.org; ahackleman@cityofsantamaria.org; jhartley@countyofsb.org; aholderness@countyofsb.org; rhartman@perkinscoie.com; johnmorris@perkinscoie.com; mcgolpin@cosbpw.net; sgrey@countyofsb.org; ahanke@countyofsb.org; george@ammcglaw.com; bgroveman@mac.com; kfenton@santamariaairport.com; tomwidroe@icloud.com; frankram3@gmail.com; Keeling, Matt@Waterboards; Yu, Stephanie@Waterboards; Tryon, Thea@Waterboards; Anderson, Tamara@Waterboards; Schroeter, Angela@Waterboards; Soderberg, Sheila@Waterboards; Bishop, Greg@Waterboards; DeLong, Kelsey@Waterboards; Mogus, Karen@Waterboards; Kihara, Annalisa@Waterboards; Ortiz, Edward@Waterboards; Rubin, Naomi@Waterboards; Boyers, David@Waterboards; West, Yvonne@Waterboards
Subject: RE: SEMCO Twist Drill and Tool Co., Inc. - Substitute Service of Process

Hello,

Thank you for the submittal of your comments on the Former SEMCO Draft Cleanup and Abatement Order. We will review your comments and get back to you as soon as possible.

Sincerely,

Sarah Treadwell

Engineering Geologist,
Irrigated Lands Program / Site Cleanup Program
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
Direct (805) 549-3695
General (805) 549-3147



I am teleworking Mondays and Fridays; however, I am available via telephone, voicemail, and email

From: Ryan Hiete <rhiete@grovemanhiete.com>
Sent: Monday, May 29, 2023 3:08 PM
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Mr. Ciccarelli and Ms. Treadwell:

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Please confirm receipt of this transmission. Thank you.

Ryan Hiete
Counsel for the SMPAD

Ryan Hiete, Partner
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GROVEMAN | HIETE LLP

From: Ciccarelli, Paul@Waterboards <Paul.Ciccarelli@Waterboards.ca.gov>

Sent: Thursday, April 27, 2023 3:53 PM

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Sincerely,
Paul

Paul D. Ciccarelli
Attorney III
State Water Board Office of Enforcement
801 K Street, 23rd Floor
Sacramento, CA 95814
Tel.: 916.322.3227
Email: paul.ciccarelli@waterboards.ca.gov



Barry C. Groveman
bgrovmn@me.com
Direct: (818) 515-8038

May 29, 2023

VIA EMAIL ONLY

(via email to sarah.treadwell@waterboards.ca.gov)

Ms. Sarah Treadwell
REGIONAL WATER QUALITY CONTROL BOARD,
CENTRAL COAST ("REGIONAL BOARD")
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Re: *Comments on behalf of the Santa Maria Public Airport District on the SEMCO
Draft Cleanup and Abatement Order R3-2023 (Proposed)*

Ms. Treadwell:

I. INTRODUCTION

This firm represents the Santa Maria Public Airport District ("SMPAD" or "Airport") in connection with the above-referenced matter. The purpose of this letter is to provide comments in response to the Regional Board's proposed draft Cleanup and Abatement Order No. R2-2023, hereafter referred to as the Draft CAO.

For purposes of addressing environmental and technical issues raised in the Draft CAO, the Airport retained the professional engineering and consulting firm Roux & Associates ("Roux"). To this end, attached please find Roux's Technical Comment Letter to the Draft CAO ("Roux Report").

The Airport's legal response to the Draft CAO is set forth below.

II. LEGAL RESPONSE TO THE DRAFT CAO

A. Delays and the Passage of Time has Impeded the Airport's Ability to Respond to the Draft CAO

Before addressing the Draft CAO, it is important for the record to reflect passage of time and delays that have impacted this issue. The Regional Board should view naming the SMPAD as a responsible party through this lens.

The Regional Board's long held mission statement includes the following:

"To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations."

In order to complete this mission, the Regional Board is entrusted with extensive enforcement powers, including powers codified in the California Water Code. These enforcement mechanisms are intended to be used for a wide variety of activities, including the identification of parties responsible for groundwater contamination. The enforcement statutes are designed to give the Regional Board proper authority to identify responsible parties and then require those parties to implement a cleanup plan in a proper time frame so that the contamination does not spread unnecessarily, and that public health and beneficial uses are protected. Unfortunately, that did not occur in this case. As set forth briefly below, the Regional Board was unable to perform its duties to protect public health. The delays now risks exacerbating discharges into becoming plumes that, over time, become extensive, comingled and regional. Equally important, the delays have denied the alleged responsible parties an order of due process and fundamental fairness. This is because, in part, due to the passage of decades, the alleged responsible parties are now denied the ability to find and present evidence that will insulate them from liability.

The historical facts regarding these impacts are not in dispute. The SEMCO Site, which is defined in the Draft CAO, is not a new issue. In fact, the Regional Board became aware of potential groundwater contamination issues at the SEMCO Site in 1980. Five years later, there was even more evidence of a significant groundwater problem, when the Regional Board learned that one of the City of Santa Maria's ("City") drinking water wells had been impacted by releases at the SEMCO Site. Despite having substantial evidence of a potentially significant groundwater contamination problem, the matter was not addressed promptly.

Instead, efforts were focused on going back and forth with the owners of SEMCO. Even though a cleanup and abatement order had been issued to SEMCO, it did not effectively prosecute that case. For example, no subpoenas were issued to SEMCO for information about the company's finances and insurance policies. It is likely that SEMCO's standard business insurance policies did not have pollution exclusions, and those policies, which may still exist, would have triggered coverage for the groundwater pollution event. There was also a very limited review of SEMCO's finances. The record shows reliance on SEMCO's own statements concerning its ability to pay rather than use of an independent review. A more thorough audit of SEMCO would have provided quicker answers about the company's ability to handle a protracted and likely expensive groundwater investigation and cleanup. The delays eventually led to SEMCO's bankruptcy, and ultimately no real responsible party. These are just a few examples of the negative impacts on the parties not being added to the Draft CAO.

Now, literally five decades later, a small public agency – the Airport – which has no connection to the SEMCO Site groundwater contamination – is expected to participate in funding a cleanup that involves potentially millions in costs.

The Airport should be removed from the Draft CAO.

B. The Airport is Not a Discharger

The Regional Board asserts in the Draft CAO that the Airport has liability for the groundwater contamination because it is a “discharger.” The Regional Board relies on scant evidence to reach such a conclusion. First, the Regional Board cites to the Airport’s ownership of property from 1964 through 1968, a time at which SEMCO allegedly operated on the Airport’s property. The Board goes on to state that the Airport is liable as a discharger in this case because the Airport was “aware of the activities that resulted in the discharges of waste and, as lessors of the Site, had the ability to control those discharges.” It is notable that the Regional Board staff and counsel provide no **evidence** to support this conclusory statement.

Rather, to support its claims against the Airport, the Regional Board’s Draft CAO relies solely on *United Artists Theatre Circuit, Inc. v. California Regional Water Quality Control Bd.* (2019) 42 Cal.App.5th 851, 887.) (hereafter referred to as “*United Artists*”).

United Artists provides a clear standard for discharger liability under the California Water Code, holding, specifically:

“[W]e conclude a prior owner may be named in a cleanup order as someone who has ‘permitted’ a discharge if it knew or should have known that a lessee’s activity presented a reasonable possibility of discharge into waters of the state of wastes that could create or threaten to create a condition of pollution or nuisance.” See, *United Artists* at 864-865. [Emphasis added.]

The Court further states that “the term ‘permitted’ is expansive enough to encompass a situation where a landlord let a discharge occur by allowing an activity to take place, where the landlord knew or should have known the general activity created a reasonable possibility of discharge.” *United Artists* at 888.

In coming to this conclusion, the Court found that a landowner of property in the 1970s, 1980s and 1990s, should have known that its dry cleaner tenant’s dry-cleaning activity created a possibility of discharge. This makes sense, given that the discharges in the *United Artists* case occurred from a highly regulated activity (dry cleaner using solvents) when the California Water Act was in effect.

In stark contrast, here, the alleged discharge occurred from 1964 through 1968, a time when the California Regional Water Quality Control Board did not exist. As discussed in detail in the Roux Report, not only did the Regional Board not exist, there were no environmental statutes or

regulations to establish standards, duties practices as to what is expected under law and regulation. This includes standards and practices regarding what a landlord could have known or should have known if its tenant's activities created a possibility of discharge. The facts here must be evaluated based on the standards for landowners in the 1960s, and not the standards used by modern and comprehensive environmental statutes.

As to the facts, as stated above and as stated in the Roux Report, there is no evidence to suggest that the Airport had any information that SEMCO's activities created the possibility of discharge. For example, in 1969, a document provided detail about the City of Santa Maria Community Development Department process for expansion of SEMCO operations. The planning documents from the City of Santa Maria include the following statement (emphasis added):

"The applicant [SEMCO] states that the production does not cause any waste that must be disposed of, nor does it produce any toxic fumes in the air." (See the Roux Report for further details on this document.)

These representations by SEMCO to the City of Santa Maria Development Department in 1969, *after the Airport no longer owned the Property*, indicate that a prior landowner with SEMCO as a tenant, if having any understanding of the operations at the SEMCO Facility at all, would have likely have been told the same thing regarding SEMCO's operations (i.e.g, SEMCO's operations had no waste generation and/or the asserted benign nature of the operations).

The facts in this case are not consistent with the facts in the *United Artists* case. The Regional Board has improperly cited that case, and without any other evidence or legal standard, the Regional Board must modify the Draft CAO and remove the Airport as a potentially responsible discharger party.

III. CONCLUSION AND REQUEST

In sum, the Regional Board's Draft CAO did not demonstrate the necessary knowledge required to assign liability to the Airport. Rather, to the contrary, the Draft CAO was devoid of any facts to connect the Airport to the Groundwater Contamination, nor did it show that the Airport had any knowledge about the potential release of contaminants to the SEMCO Site. The mere passage of time cannot justify forcing innocent and small public agencies like the Airport to assume responsibility for this problem.

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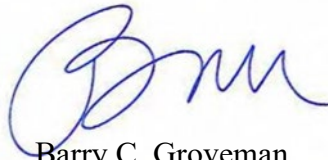
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GROVEMAN | HIETE LLP

Based on the foregoing and the attached Roux Report, we request that the Regional Board remove the Airport from the Draft CAO. Thank you.

Very truly yours,



Barry C. Groveman
GROVEMAN | HIETE LLP

Enclosures: Roux & Associates Technical Comment Letter to the Regional Board's Draft Cleanup and Abatement Order R2-2023 [Proposed]

Copies to: See Email Distribution List

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Counsel for the SMPAD

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Attorney III
State Water Board Office of Enforcement
801 K Street, 23rd Floor
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Tel.: 916.322.3227
Email: paul.ciccarelli@waterboards.ca.gov

May 29, 2023

Ms. Sarah Treadwell
Central Coast RWQCB
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

(sent via email to sarah.treadwell@waterboards.ca.gov)

Re: Technical Comments on behalf of the Santa Maria Public Airport District on the
SEMCO Draft Cleanup and Abatement Order

Dear Ms. Treadwell:

On behalf of the Santa Maria Public Airport District (SMPAD), Roux Associates (Roux) is providing these historical and technical comments regarding the Draft Cleanup and Abatement Order (Draft CAO) for the Former Semco Twist Drill & Tool Company (SEMCO) Facility at 2926, 2936, 2946, 2956, 2976, and 2986 Industrial Parkway (the SEMCO Facility, or Property) in Santa Maria, CA.

Overall, the Draft CAO: 1) incorrectly determines the SMPAD as a “discharger,” as defined in the Water Code; 2) fails to consider the extensive history of the United States Department of Defense (DOD) and known chlorinated solvent impacts from the DOD’s past operations and use of the former Santa Maria Army Airfield (Army Airfield) as a critical training base for both propeller aircraft and top-secret fighter jets (which likely merited use of chlorinated solvents); and, 3) has other general technical shortcomings in describing the SEMCO Facility, past operations and other nearby potential comingling contributors.

Comments are provided in the general six areas noted below:

- 1) The SMPAD is not a discharger and only owned the Property for approximately four years. The Draft CAO claims that SMPAD, as a prior land-owner leasing to SEMCO from 1964 to 1968, *“knew or should have known that a lessee’s activity created a reasonable possibility of discharge into waters of the state of wastes that could create or threaten to create a condition of pollution or nuisance.... Landowners leasing to entities using degreasers (many of which used TCE), know or should have known by the 1940s that there was a reasonable possibility of discharge of wastes that could create, or threaten to create, a condition of pollution or nuisance.”* This claim is not based on any facts nor is it supported by what was considered standard business practices during the mid-1960s. Rather, a newly formed public Airport district (SMPAD) as a landowner in the 1960s given environmental laws/regulations (none of which substantially existed) at the time would not have had direct or specific knowledge of discharges by a tenant, let alone awareness of the possibility for waste discharges related to degreasing operations. This includes but is not limited to the following supporting facts:
 - In 1980, the RWQCB conducted an enforcement inspection of SEMCO. After that investigation, the RWQCB made no note or comment on the degreasing, or solvent storage/disposal operations, which are alleged to have caused the issues that are the subject of the Draft CAO.¹ (Attachment 1.1). If the RWQCB in an enforcement site inspection capacity relating to allegations of illegal discharges did not note the potential for discharges of hundreds of gallons of degreasing solvents^{2,3,4,5,6} specifically at the SEMCO Facility in 1980, it is unreasonable to assert that a landowner in the 1960s would have had knowledge of the possibility of waste discharge and/or creation of pollution, or nuisance at this specific Facility.

¹ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/4504290521/STAFF-LTR_CA-REQ_20AUG1980.pdf

² Draft CAO, Item A7 “Chemical Usage”

³ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7727129876/PURCHASE-CREDITS_SUMMARY_02AUG1988.pdf

⁴ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7054533243/LEGAL_CORRESP_RECEIPTS_31MAR1988.pdf

⁵ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7728365838/STAFF-LTR_SUBMITTAL_12MAY1988.pdf

⁶ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7528414666/STAFF-LTR_FTS_05JULY1988.pdf

Later, in 1989 the RWQCB in assessing the SEMCO Property stated, *“it is likely waste products were disposed to ground surface **as was commonly done in past times**”* (emphasis added)⁷. This statement about waste products “commonly” being discharged to the ground indicates that this general issue was commonplace and part of regular historical industrial practices.

- In 1969, after SEMCO became owner of the Property, a document detailing a City of Santa Maria Community Development Department process for expansion of SEMCO operations included the following statement (emphasis added), *“The applicant states that the production **does not cause any waste that must be disposed of, nor does it produce any toxic fumes** in the air.”* (emphasis added; Attachment 1.2). These representations by SEMCO to the City of Santa Maria Community Development Department indicate that SEMCO was informing the City that it “did not cause any waste.” There is little doubt that any prior owner who leased the Property to SEMCO would have been told the same thing regarding SEMCO’s operations, (i.e. lack of waste generation and/or the asserted benign nature of the operations).
- Based on a public records act response from the Santa Barbara County Air Pollution Control District (APCD), there were not any air-associated solvent/degreasing permits for the SEMCO Facility.⁸ If the key air-quality regulator did not require permits, or was unaware of the scope/details of SEMCO’s operation (storage and use of 1000’s of gallons of regulated solvent in the 1980s)⁹, this is further support that a landowner in the 1960s would not have been aware of the degreasing, or the RWQCB’s wholly unsupported allegation of the SMPAD’s “knowledge” of possible discharges claimed in the Draft CAO.
- The well-understood insurance practice of issuing a “pollution exclusion” which generally represents common knowledge of potential industrial polluting activities only came to be as early as the 1970s.¹⁰ This has been acknowledged by the State Water Resources Control Board (SWRCB) in other matters.¹¹
- In both 1962 and 1976 versions of the American Society for Testing and Materials standard for vapor degreasing it is stated that, *“If there are no regulations forbidding it, the sludge may be poured on dry ground at a safe distance from buildings and allowed to evaporate. If the sludge is free flowing and can soak into the ground before the solvent evaporates, it may be poured into shallow containers to permit the solvent to evaporate before dumping.”*
- In 1964, the American Society of Metals recommended that: *“in the absence of any clearly defined ordinances, the sludge [from vapor degreasing] is usually poured on dry ground well away from buildings, and the solvents are allowed to evaporate. If the sludge is free flowing, it is placed in shallow open containers and allowed to evaporate before the solids are dumped on the ground”*.¹²
- In 1967, the American Insurance Association’s Chemical Hazards Bulletin stated that chlorinated hydrocarbon wastes should be, *“moved to a safe location (away from inhabited areas, highways, buildings or combustible structures) and poured onto dry sand, earth or ashes, then cautiously ignited,”* and in other instances the chlorinated hydrocarbon wastes, *“may be placed in an isolated area as before and simply allowed the liquid waste to evaporate”*.¹³

⁷ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/6005554020/LTR_REVIEW_01MAR1989.pdf

⁸ SBAPCD, Email Response to Public Records Act Request, 5/11/2023

⁹ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7727129876/PURCHASE-CREDITS_SUMMARY_02AUG1988.pdf

¹⁰ <https://dsc.duq.edu/cgi/viewcontent.cgi?article=3068&context=dtr>

¹¹ https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/1998/wqo98-05.shtml

¹² American Society for Metals, Metals Handbook Volume 2 Heat Treating, Cleaning and Finishing (8th Edition) (1964), 340.

¹³ American Insurance Association, Chemical Hazards Bulletin (issued October 1967 and revised March 1972), 41

- The California Porter Cologne Water Act was enacted in 1970¹⁴, as was the legal requirement for registration of liquid waste haulers¹⁵. Irrespective of the failure of the RWQCB to identify the potential for possible solvent discharges in 1980, the first RWQCB water quality control/Basin Plan did not even exist until 1971¹⁶, pointing to a general lack of understanding at the State and regional level of a need for regional water boards to oversee activities such as potential waste-discharges from degreasing operations like at the SEMCO Facility.
- In 1972, California passed the Hazardous Waste Control Act (Attachment 1.3), where prior to this, *“Certain volatile substances are, however, being disposed in open air dumps with insufficient supervision and control to prevent the possibility of creating serious risk of injury or disease to human health and animal life.”* (Attachment 1.4).
- In 1975 the Santa Barbara APCD passed their first iteration of Rule 321, “RE Solvent Cleaning Machines and Solvent Cleaning” <https://www.ourair.org/wp-content/uploads/R321BP-05-2009.pdf>
- The Federal Resource Conservation and Recovery Act (RCRA) was signed into law in 1976 and provided a framework for the management of hazardous and non-hazardous solid wastes. However, it was not until 1980 that the first regulations were promulgated under RCRA.¹⁷
- In 1977 the County of Santa Barbara issued a Santa Maria Basin Report which only noted water quality concerns about salts and Nitrates.

Given all of the instances above where the RWQCB itself did not flag degreasing/solvent use during a SEMCO Facility inspection in 1980; where industrial-standards/practices were evolving; and/or either a State, regional or local entity had not specifically identified the SEMCO Facility and/or in general did not have specific laws or regulations even into the 1970s clearly applying to degreasing/solvent waste disposal, it is not expected that the SMPAD as a landowner from 1964 to 1968 would have known about SEMCO's specific operations; or, have had awareness or any knowledge of the possibility of discharges creating a condition of nuisance or pollution.

- 2) The DOD should be added as a party to the Draft CAO. The Draft CAO states that there were two former Army Airfield USTs on the SEMCO Property,¹⁸ *“One 1,500-gallon fuel oil UST, identified as T1242, was located beneath the Site in an area that is now a parking lot north of the former Semco building. There are no records indicating UST T1242 was removed or closed in place. As documented in Santa Barbara County's file, there are records that USACE removed one UST at the Site, identified as T1273, on December 17, 1990. UST T1273 was allegedly located on a concrete slab north of a warehouse identified as Building T1273 (Building T1273 is included on the Basic Layout Plan dated 1945). However, UST T1273 is not shown on the 1945 Basic Layout Plan.”* The Draft CAO also states,¹⁹ *“Additionally, records indicate two USTs¹⁷ were located in the northern portion of the Site and were not associated with areas where TCE and VOC use was expected or documented by the USACE (such as the airport hangers motor or sheet metal repair shops, etc.). Also, the locations of the aforementioned former USTs do not correlate with the Site's source area location, where the highest concentrations of TCE and petroleum hydrocarbons have been reported in soil, soil gas, or groundwater.”* However, the Draft CAO does not cite to the more than eight feet of petroleum free product identified at the Property (as discussed further in Item 4).

¹⁴ 1971, RWQCB Central Coast Region 3 Water Quality Control Plan (WQCP)

¹⁵ <https://babel.hathitrust.org/cgi/pt?id=uc1.c109116127&view=1up&seq=473> and Sacramento Bee, 9/20/1970

¹⁶ 1971 and 1975, RWQCB Central Coast Region 3, WQCPs

¹⁷ 45 FR 33084:33133 (May 19, 1980).

¹⁸ Draft CAO, Item A6, Footnote 17

¹⁹ Draft CAO, Item A4

In making these statements in the Draft CAO, the RWQCB is citing that the United States Army Corps of Engineers (USACE) and by extension the DOD were responsible for the USTs on the SEMCO Property. Also, the Draft CAO states that prior to the County and City becoming owners in 1947 the Army Airfield had substantial USTs and hazardous/flammable liquids and the potential to have used trichlorethylene (TCE) and volatile organic compounds (VOCs). Based on USACE/DOD documentation they also concurred in being responsible for the Army Airfield USTs, where the 2014 DOD NDAI document stated, “A Findings and Determination of Eligibility (FDE) signed in 1989 (see Atch 4) found that the Santa Maria Army Airfield qualified as a FUDS. The associated Inventory Project Report (INPR) (see Atch 5) written in the early 1990s recommended the creation of a containerized hazardous, toxic and radioactive waste (Con/HTRW) project to remove old underground storage tanks. In 1994, a revision to the INPR was submitted and in June 1995 both a Con/HTRW and an HTRW project were authorized.”²⁰

Although the location of the SEMCO Facility may not be where TCE and VOC use in the RWQCB’s opinion, “was expected or documented by the USACE,” the RWQCB overlooks that very little to no VOC analysis was conducted by the USACE associated with the UST abandonment/investigation/remediation effort, let alone evaluating past pipelines into and within buildings from the tanks. In at least one instance when VOCs were analyzed for during the USACE UST effort, VOCs were detected (Tank 1317 [Lube Oil Pump House]²¹, where Tank 1317 was located approximately 1,200 feet south of the SEMCO Facility, immediately adjacent to the Mafi Trench Site [See Attachment 2.1]).²² Tank 1317 was not located in an area where “hangers, motor or sheet metal repair shops” existed and samples collected on behalf of the USACE detected halogenated compounds in sludge at 1,100 parts per million (ppm); and PCE in liquid at 0.06 ppm (57.9 parts per billion). A Mr. Frank DeMargo (sic) from the RWQCB was reportedly consulted by the USACE regarding the detections.²³ Despite all of this evidence, and known discharges of contaminants associated with former Army operations at the Army Airfield, the RWQCB absolved the DOD of any responsibility specific to SEMCO in 2014.²⁴

Beyond the known detection of VOCs associated with former Army Airfield operations, the specific operations in World War II at this Army Airfield are very likely to have used chlorinated solvents.

- The Army Airfield was home to both a critical training function for P-38 propeller powered airplane fighter pilots,^{25,26} and also was one of four bases in California for the secret P-59 jet fighter airplanes during and after World War II (See inset below, with full 1945 Santa Maria Times article in Attachment 2.2 and 412th Fighter Group jet images in Attachment 2.3).^{27,28,29}

²⁰ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/8907376945/Master_SMAF_14_NDAI.pdf

²¹ https://geotracker.waterboards.ca.gov/view_documents?global_id=T0608300505&enforcement_id=6268016

²² https://documents.geotracker.waterboards.ca.gov/esl/uploads/geo_report/1974251806/SLT3S0301290.PDF

²³ 3/22/91 Memo by USACE, PDF Page 33-34 within

https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/3843307316/41317_SECTION%203%20&%204-OCR.pdf

²⁴ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/1984756946/SEMCO-NDAI_email-granthimebaugh.pdf

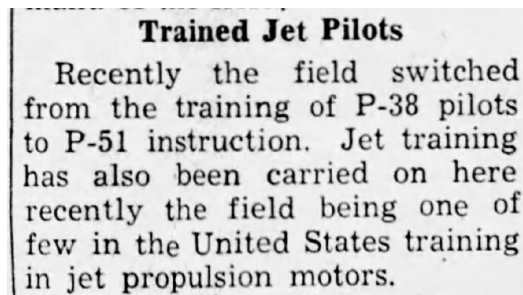
²⁵ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/1984756946/SEMCO-NDAI_email-granthimebaugh.pdf

²⁶ https://santamariatimes.com/shirley-contreras-when-the-p-38-lightning-flew-above-santa-maria/article_7d1788cd-3570-587a-8ee6-e6160628e129.html

²⁷ <https://www.historynet.com/how-the-bell-p-59-aeracomet-became-americas-first-jet-fighter/>

²⁸ <https://archive.org/details/jetpropulsionpro00nevi/page/n127/mode/2up?q=%22P-59A%22>

²⁹ 2000, Pace, S. Bell P-59 Aeracomet Book.



- In fact, leading up to the closure of the Santa Maria Army Airfield, the 412th Fighter Group it housed was growing with addition of key additional squadrons up to and into 1945 within the 412th Fighter Group, as noted here:³⁰

"412 FG was established at Muroc AAF on 30 November 1943 as the USAAF's - in fact, America's - premier jet airplane equipped fighter unit. As part of the 4th Air Force, the 412 FG formed three squadrons: the 29th Fighter Squadron (FS) - "Gamecocks"; 31st FS - "Foxes"; and the 445th FS. Respectively, these three squadrons would go on to operate P-59As and P-59Bs. ...

It was during the late 1944-to-late 1945 time period that several additional squadrons were attached to the 412 FG. These were comprised of the 361st FS, 615th Air Engineering Squadron (AES), and the 624th Air Material Squadron (AMS). Another lesser-known P-59 unit - the 440th Army Air force Base Unit, a training squadron - was in operation at Santa Maria by late June 1945."

- 1945 documentation from the US Army Air Corps/Air Force clearly indicates TCE solvent use in maintenance degreasing operations.^{31,32,33}

Given this, the Army Airfield would have been prioritized to be performing the highest level of aircraft maintenance (likely including chlorinated solvents for degreasing).³⁴ The 2014 DOD NDAI³⁵ declaration notably makes no mention of the jet-fighter function of the Army Airfield and does not explicitly note the two tanks on the SEMCO Facility.

Based upon all of the above, if past owners of the Property are considered dischargers by the RWQCB, the DOD/US Army former Airfield operations should not be overlooked, in that the Army Airfield both used chlorinated solvents and likely discharged them and was both an owner and operator at the SEMCO Property (in addition to potential petroleum/heating fuel comingling discussed below). The dismissal by the RWQCB of any Army Airfield UST/and or operational area for chlorinated solvent use/discharge, without further evaluation is not merited.

³⁰ <http://usafunithistory.com/PDF/0400/412%20TEST%20WG.pdf>

³¹ 1945, Industrial Medicine in AAF: <https://hdl.handle.net/2027/osu.32436001888922?urlappend=%3Bseq=126%3Bownerid=115275249-130>

³² 1945, Trichloroethylene Degreasing: <https://hdl.handle.net/2027/mdp.39015072234597?urlappend=%3Bseq=360%3Bownerid=13510798889134683-416>

³³ 1945, Industrial Solvents in the AAF: <https://hdl.handle.net/2027/osu.32436001888922?urlappend=%3Bseq=203%3Bownerid=115275249-207>

³⁴ Doherty, 2012. The Manufacture, Use, and Supply of Chlorinated Solvents in the United States During World War II, Environmental Forensics, 13:1, 7-26

³⁵ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/8907376945/Master_SMAF_14_NDAI.pdf

- 3) The Draft CAO oversimplifies the historical SEMCO data, and does not include some key applicable facts.
- As noted above in Comment 2, the Draft CAO does not adequately consider past solvent use, operations and liability for USTs related to the DOD and past Army Airfield operations and presence of hydrocarbon free product.
 - Draft CAO Item A17 references, *"increasing trends in groundwater waste concentrations"* to suggest that soil contamination is continuing to impact groundwater.; and Draft CAO Item A14 references shallow and deep groundwater results from three separate investigation phases over 45 years (1987 to 2022), each approximately 20 years apart with varying concentrations, sampling methods (developed wells vs possible grab samples), and depths ranging from 5 feet to 50 feet below ground surface (bgs). For example the Draft CAO reports TCE in shallow groundwater at 430,000 micrograms per liter (ug/L) from 1987 to 1991, 300 ug/L in 2003, and 350,000 ug/L in 2021/2022. Although there may be substantial variability in the groundwater data, given the sporadic nature of the past investigations and data availability an "increasing trend" may or may not be observed.
 - Draft CAO Item A18 states, *"Groundwater has historically flowed south to southeast in the shallow zone and south to southwest in the deep zone."* In the 1991 ERCE Report documenting installation of the deeper "DMW" monitoring wells, uncertainty was expressed about the deeper groundwater flow direction, which at the time was indicated as being towards the north.³⁶ A 2004 report by Everest Services Inc. prepared for Concha Investment for the SEMCO Facility indicates that deep monitoring well DMW-1 was abandoned and that all wells were re-surveyed, and the resurvey resulted in a change in reported top of casing elevations for wells DMW-2 through DMW-4 of between 2.24 and 2.29 feet relative to earlier elevations.³⁷ The 2021 most recent groundwater report for the SEMCO Facility³⁸ indicates that well DMW-3 could not be located and also that a previously undocumented well "DMW-5?" may exist.
 - In 2003, the RWQCB sent a letter to Chris Mathys of ORO Financial (owner of the SEMCO Property at the time), and indicated that, *"We were also reviewing the nearby Mafi-Trench site file and found that it was difficult to see any correlation between the groundwater potentiometric surface at the two nearby sites."*³⁹
 - Given the sporadic nature of the deeper groundwater level information, the substantial change in reference point elevations and the uncertainty over how many deep monitoring wells have existed/do exist at the SEMCO Facility, it is speculative as to what the applicable deeper groundwater flow directions have been.
- 4) Although the SEMCO Facility is a source of impacts to the subsurface, there is a potential co-mingling of different constituents; and, given the uncertain groundwater flow directions, the potential co-mingling of impacts from multiple sources.
- In 1990, the RWQCB documented the discovery by SEMCO's consultant of approximately 8.5 feet of free product on the water table at the SEMCO Facility.⁴⁰ Although at the time, the petroleum hydrocarbon fluids were attributed to being cutting oil intermixed with VOCs, there is no definitive documentation whether the petroleum hydrocarbons might have been from cutting oils, or other oil (possibly related to former

³⁶ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/8375035166/GW_INVEST_DEEP-AUQ_PH2_APR1991.pdf

³⁷ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/2973249673/2003%20third%20quarter%20monitoring%20report%20semco.pdf

³⁸ https://documents.geotracker.waterboards.ca.gov/esl/uploads/geo_report/1012124121/SLT3S2411351.PDF

³⁹ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/2057216823/04-30-2004_LTR.pdf

⁴⁰ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/1143435418/MEMO_INTERNAL_CAO89-070_18JAN1990.pdf

DOD/Army Airfield operations). The consultant for SEMCO in 1989 noted, *“A vertical chemical variation within this free product plume appeared to be present during sampling. The portion of the free product located just above the water table in both wells appeared less viscous than the overlying portions of the free product found in SMW2, perhaps suggesting a difference in composition over the length of the free product column. In addition, the basal portion of the free product appeared to contain halocarbons.”*⁴¹

- There is a clear factual change in SEMCO Facility operations^{42,43} where in numerous documents a transition from TCE to 1,1,1-TCA used for degreasing is noted in the 1980s. The presence of 1,4-dioxane associated with 1,1,1-TCA may present an important date/time indicator as to timing of discharges/masses released. The presence of 1,4-dioxane generally indicates some contribution/co-mingling with more recent solvent use/discharges/releases.
- Consultants for the Mafi Trench Site have asserted that the SEMCO Facility is the source of TCE detected in the on-Mafi Trench deep monitoring well; however, the Mafi Trench Site is due south of the SEMCO Facility, where as noted above, there is uncertainty on the deeper groundwater flow directions, indicating an incomplete understanding, or comingled contributions to the deeper groundwater bearing zone:
 - In a recent RWQCB summary of the Mafi Trench site online it is quoted that, *“The groundwater flow direction within the perched groundwater zone is toward the west to southwest. During the operation of the remediation system the groundwater flow direction was reported to flow toward the northwest at times.”* and *“The regional aquifer groundwater flow direction is toward the west-northwest. Historical water well records indicate that groundwater within the regional aquifer fluctuates between approximate depths of 90 feet to 220 feet. Discontinuous zones of perched groundwater are known to exist within the Basin.”*⁴⁴
 - In a report prepared by a consultant for the Mafi Trench entity; in spite of their estimated shallow and regional groundwater flows being to west/southwest, northwest, or west-northwest, *“Padre concluded that the trichloroethene (TCE)-impacted groundwater within the regional aquifer beneath the Project Site is likely associated with the former SEMCO facility located 255 feet northeast of the Project Site (Padre, 2019). Therefore, continued monitoring of well DW-1 (deep, regional aquifer well) is not proposed as part of the Updated MRP.”*⁴⁵
 - In a report by a consultant for Mafi Trench in 1991, boring B8, located east of the Mafi Trench site building detected 1,1,1-Trichloroethane (1,1,1-TCA), 1,1-dichloroethane (1,1-DCA) and Toluene, indicating impacts in a wide-spread area. The Mafi Trench Site also detected tetrachloroethylene (PCE) in groundwater.

⁴¹ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/5084904551/REPORT_SUBSURFACE-INVEST_PHASE2_DEC1989.pdf

⁴² https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7727129876/PURCHASE-CREDITS_SUMMARY_02AUG1988.pdf

⁴³ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7054533243/LEGAL_CORRESP_RECEIPTS_31MAR1988.pdf

⁴⁴ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7181836783/Mafi%20Groundwater%20Information%20-%20Case%20Information.pdf

⁴⁵ https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/2047083973/SLT3S0301290.PDF

- 5) As indicated in the two timelines below, the DOD and SEMCO both were owners and operators of the SEMCO Property and the challenges faced by the RWQCB in driving any meaningful remediation/investigation has resulted in current day greater costs and scope than if effective investigation/remediation had been realized in the 1980s/1990s.

○ **OWNERSHIP:**⁴⁶

- <1942: Approximately 3,100 acres of land is acquired for the Army Airfield. Prior to the development of the airfield in 1942 the land was undeveloped and covered with brush and eucalyptus trees.
- 1942–1946: The Army Airfield was commissioned in 1942.
- 1946: The Army Airfield was placed on surplus property list.
- 1947: the County of Santa Barbara acquired the property by means of an interim permit issued by the War Assets Administration.
- February 1949: The Army Airfield was quitclaim deeded to the County of Santa Barbara and the City of Santa Maria, each with a one-half interest. Use of the former Army Airfield was restricted by deed to public airport purposes with a recapture clause, which was later removed.
- 1949-1964: The Santa Maria Public Airport was managed jointly by the City of Santa Maria and County of Santa Barbara.
- 1964: The City of Santa Maria and the County of Santa Barbara formed a district for the joint management of the former Army Airfield. The former Army Airfield was transferred to SMPAD in March 1964.
- 1947>1968, the SEMCO Property was leased to SEMCO for operations.
- May 1968: the SEMCO Property was sold by SMPAD to the Staffords. The Staffords owned the Property until 2001.
- 2001: The Staffords defaulted on their loan.
- August 2002: Ownership of the SEMCO Property was transferred to Oro Financial of California, Inc. as a partial payment of debts.
- December 2002: Ownership of the SEMCO Property was transferred to Concha Investments, Inc.
- June 2006: Ownership of the Property was transferred to Chris Mathys.
- May 2009: Ownership of the Property was transferred to Platino, LLC.
- August 2010: Ownership of the Property was transferred to Rhine L.P.⁴⁷

⁴⁶ Santa Maria Airport SMX, History (<http://www.santamariaairport.com/about-the-airport/history/>); Ruhge, J., Historic California Posts, Camps, Stations and Airfields – Santa Maria Army Air Field, (<https://www.militarymuseum.org/SantaMariaAAF.html>); Draft CAO: April 14, 2023; Department of the Army, No Department of Defense Actions Indicated (“NDAI”) at Former Santa Maria Army Airfield FUDS No. J09CA061901 (January 17, 2014).

⁴⁷ Email from Ana Melendez (State Water Resources Control Board) to Nicholas Mirman (Assemblymember) regarding November 10, 2022 letter (November 11, 2022).

○ **Post 1980-Environmental Timeline**

- 1980, threat of impacts to the subsurface from SEMCO operations identified by the RWQCB, with no mention of degreasing or potential VOC discharges/impacts (Attachment 1.1).⁴⁸
- 1985, RWQCB first involvement with SEMCO associated with solvents/VOCs.⁴⁹
- 1987, first RWQCB CAO.⁵⁰
- 1988, RWQCB concerns are expressed as, “contamination found at the Semco site is not minor” ... “[t]hese high concentrations pose a significant threat to water quality”.⁵¹
- 1989, second RWQCB CAO,⁵² with subsequent letter by the RWQCB stating, “Continued delays in cleanup will only allow the organic contaminant plumes to spread, and the cost of cleanup to increase.”⁵³
- 1993, a staff report for a RWQCB Board meeting stated,⁵⁴ “It is apparent from review of the files there has been a great deal of “foot dragging” and denial of responsibility by SEMCO. Apparently, SEMCO is still denying its responsibility in spite of the overwhelming evidence they are the source.

Basically, six years have been spent assessing the extent of contamination at this site. It has been eight years since the problem was first discovered. The shallow ground water zone dewatering system was constructed and operated for one month, June 1992.

The treatment system's carbon canister fouled (with what, is unknown at this time) and the system was shut down.” ...

“Semco missed a unique opportunity (toward the end of a drought) to dewater the shallow perched ground water zone and remove the solvents and cutting oil. The winter rains have likely increased the amount of water in the shallow zone to be removed and caused more vertical migration of solvents and lateral spreading of cutting oil (leading to more expense for Semco to assess and remediate)”.

- In 1994, the California Department of Toxic Substances Control (DTSC) issued an Imminent and Substantial Endangerment Determination.⁵⁵
- In 2010, a RWQCB review of the SEMCO file the RWQCB stated,⁵⁶ “The SEMCO case has been active for 20-25 years, yet site soil, shallow groundwater and deeper supply aquifer groundwater remain significantly impacted primarily by hundreds ppb (and higher) solvents and TPH (and most recently, free product), the full spatial extent of pollution is unknown, the pollution appears to be worsening in some respects, Board orders are not being complied with, and there has been no environmental progress, or activity, on the case since 2003.” and “Therefore, pursuant to existing Board orders, this case must be advanced to complete plume definition and remediation. Before commencing additional plume definition and

⁴⁸ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/4504290521/STAFF-LTR_CA-REQ_20AUG1980.pdf

⁴⁹ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/4504272282/PHONE_LOGS_RB3_1985-1988.pdf and https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/9924794077/MEMO_TCE_27AUG1985.pdf

⁵⁰ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7741810679/CAO_87-188_25SEPT1987.pdf

⁵¹ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/3204609513/NOV_WP-INCOMPLETE_03AUG1988.pdf

⁵² https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/6005554020/LTR_REVIEW_01MAR1989.pdf

⁵³ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/1251357853/LTR_CLEANUP_26JULY1989.pdf

⁵⁴ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/6184140861/1993_feb12_Item5_BoardMinutes.pdf

⁵⁵ https://www.envirostor.dtsc.ca.gov/getfile?filename=/public%2Fdeliverable_documents%2F1906339883%2FSemco%20Twist%20and%20Drill%20IS%26E.pdf

⁵⁶ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/5560470402/10-10%20Case%20Summary.pdf

remediation, all existing monitoring devices should be monitored and sampled to indicate current conditions.”

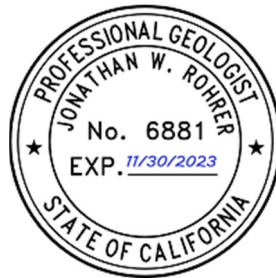
- In 2014, a subsequent RWQCB review stated,⁵⁷ *“The SEMCO case has been active for 20-25 years, yet site soil, shallow groundwater and deeper supply aquifer groundwater remain significantly impacted primarily by hundreds ppb (and higher) solvents and TPH (and most recently, free product), the full spatial extent of pollution is unknown, the pollution appears to be worsening in some respects, Board orders are not being complied with, and there has been no environmental progress, or activity, on the case since 2003.”*
- 6) As a summary of the timelines, in terms of the ownership of and operations at the former SEMCO Property and the SMPAD:
- As noted throughout this letter, the SMPAD is not a discharger.
 - Semco was an operator from 1947>>2001 (for 54 years), and owner/operator from 1968>2001 (33 years)
 - The DOD was an operator and owner from ~1942>1947 (Owner & Operator [~5 years]), and accepted responsibility for their old tanks in the 1980s/1990s, including VOC wastes.
 - The City/County owned and/or controlled the Property from 1947>1964 (17 years)
 - Other entities owned and/or operated between 2001>2023 (22 years)

Please let us, or the SMPAD know if you would like to discuss these comments on the Draft CAO.

Sincerely,



Jon Rohrer, P.G., C.Hg.
Principal Hydrogeologist



Peter Shimer, P.G.
Senior Geologist

Attachments:

cc:

Joshua George
Groverman Hiete

⁵⁷ https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/8230578362/CASE_STATUS_JAN2014.pdf

ATTACHMENTS (in addition to in-text citations)

1. Supporting Documentation that SMPAD is not a Discharger
 - 1.1: 1980 RWQCB Inspection of SEMCO, with notation of illegal brine disposal/percolation AND potential threat to groundwater, with **NO** mention of degreasing and/or solvents
 - 1.2: 1969 City of Santa Maria Community Development Department Record of SEMCO development proposal
 - 1.3: 1972, Hazardous Waste Control Act (HWCA) Article
 - 1.4: 1971, HWCA Article
2. Supporting Information RE DOD Impacts and the Army Airfield Operations
 - 2.1: 2019 Mafi Trench Site Diagram (Padre, Plate 3, showing “Former Air Base Lube Oil Pump House”)
 - 2.2: 1945 Santa Maria Times Article RE Santa Maria Army Airfield Closing and Jet Training
 - 2.3: Excerpts from Bell P-59 Aeracomet book illustrating 1945 jet operations at the Santa Maria Army Airfield (Citation: Pace, photos by Lionel Paul)

Technical Comments on Behalf of the Santa Maria Public Airport District on the SEMCO Draft Cleanup and Abatement Order

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**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 1.1

1980 RWQCB Inspection of SEMCO, with notation of illegal brine disposal/percolation AND potential threat to groundwater, with NO mention of degreasing and/or solvents

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL COAST REGION1102 A LAUREL LANE
SAN LUIS OBISPO, CALIFORNIA 93401
(805) 549-3147

August 20, 1980

Semco Twist Drill & Tool Co., Inc.

2936 Industrial Parkway
Santa Maria, CA 93454Attention: Mr. Art Johnson,
Chief Metallurgist

Gentlemen:

On August 11, 1980, Mr. Ron Sherer of my staff inspected your facilities in Santa Maria, California. It was found that you were illegally discharging salt brines to the ground where it was allowed to percolate. This letter will confirm the discussion that took place between Mr. Sherer and Mr. Art Johnson of Semco Inc. during the inspection.

The Porter-Cologne Water Quality Control Act gives this Board the responsibility and the authority to protect ground and surface water quality of the Central Coast Region. Discharges of the type noted during the August 11, 1980 inspection is or threatens to degrade the ground water located below the site. Therefore, according to section 13304 of the Porter-Cologne Act, you are directed to immediately cease discharging wastes that may adversely affect state waters.

Mr. Johnson stated that sealed evaporation ponds or some other type of containment structures would be constructed to control the waste. You are requested to submit a report outlining the corrective action taken and, if appropriate, a timetable for implementing any additional work that may be needed to bring your facilities into compliance with state law. The report should be received in this office by September 9, 1980.

As discussed during the inspection, the salt residue in the existing percolation pit has to be removed and properly disposed of at a Class I disposal site.

If you have any questions concerning the authority of this Board or this letter, please contact Ron Sherer or William Meece at this office.

Very truly yours,

KENNETH R. JONES
Executive Officer

RHS:bf

bcc: City of Santa Maria, Ben Middleton

**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 1.2

1969 City of Santa Maria Community Development Department
Record of SEMCO development proposal

Letter File

Z-69-10 S.E.M. CO., INC.

Manufacturing plant in PC District,
2936 Industrial Parkway

November 19, 1969

EXHIBIT A

This proposal is to allow an amendment to the development plan for a PC (Planned Community) District which was originally approved under Z-68-22 for property located at the Santa Maria Public Airport, including portions of Skyway Industrial Park, Tract No. 5011.

The City Code sets forth that the PC Land Use District is designed to accommodate various types of development, including industrial development, providing the development is accomplished in such a manner as to be made compatible and appropriately a part of a planned unit development, and having consideration for the existing and proposed land uses in the area.

The Planned Community zoning of this airport property will allow the proposed industrial use to be conducted upon the property, providing it has the ability to meet City standards relative to vibration, smoke emission, air pollution, sound, odor, etc. The City's performance standards appear in Division 5 of Article V of Chapter 10 of the City Code.

S.E.M. CO. is a light industrial concern engaged in the manufacture of cutting tools which are shipped out of town to large firms. No products are sold locally.

The tools are light in relation to their cost, and therefore are shipped mainly by truck or airplane. Shipments are made once daily in the afternoon.

The tools are completely manufactured in the plant. No outside storage is proposed. The only new material used is steel, which is received from steel mills monthly. Incoming freight is minimal. If a change in the method of operation were proposed in the future to provide for outside storage or any other outside activity, it would be required to be screened from view from public streets and other public ways by the construction of a durable screening fence of cyclone steel with slats or a concrete block wall at least six feet in height.

The applicant states that the production does not cause any waste that must be disposed of, nor does it produce any toxic fumes in the air. If there is to be any discharge of waste into the city sewer system in the future, said discharge shall be in accordance with the requirements of the Public Works Department.

The manufacturing plant employs approximately 125 persons at the present time. It is anticipated that the number of employees will increase to approximately 300 persons within the next five years.

After occupying the new facilities, the present buildings will be demolished. This demolition is scheduled to take place during the summer of 1971.

RECEIVED
NOV 26 1969
SANTA MARIA PUBLIC
AIRPORT

The industrial development of this portion of the airport is in conformance with the adopted elements of the General Plan. The public facilities have been required under the subdivision procedure to accommodate industrial development. A railroad spur borders the rear property line.

The specific development proposed under this application is described on the following exhibits:

Exhibit B - Vicinity Map

This exhibit shows the location of the parcel which is to contain the proposed manufacturing plant on the east side of Industrial Parkway.

Exhibit C - Plot Plan

This exhibit shows the location of the building on the property. The building will contain 40,032 square feet and set back approximately 35 feet from Industrial Parkway. A utility vault is shown in front of the building. The size of the vault enclosure is approximately 20 feet in length by 6 feet in width. It is recognized that the size may be slightly different from this precise measurement, and in this event, the final size of the vault enclosure shall be approved by the Community Development Department.

The utility vault enclosure is set back approximately 9 feet from Industrial Parkway. The vault is designed also to serve as a base for the company's identification sign.

The original Planned Community development plan for this property requires that front yard setbacks shall be commensurate with the existing and established setbacks of the development in the area, but in no case shall a structure be built so as to encroach closer than 25 feet to the front property line.

The pad mounted transformer, the gas service meter, and the sign are items that would be permitted within the front setback area. Since this development proposes to locate both of the service meters within the slumpstone utility vault enclosure, and proposes this enclosure to serve as a base for the sign, it is felt that the proposal meets the requirements of the original development plan.

The rear portion of the lot as well as a part of the frontage on each side of the lot, is shown as being undeveloped. Buildings which are existing on the rear will be demolished by a date in 1971 specified in the developer's agreement with the Santa Maria Public Airport District. The present facility, which is located in one of these buildings, will remain in operation during the construction period, and then will be moved gradually into the new building. The remainder of the lot will be held for future expansion, although there are no present plans.

Any future expansion or other development of the property will be required to be approved by the Airport-City Development Committee and by the City and will be considered to be an amendment to this development plan.

The off-street parking area is located on the north side of the building, with additional spaces provided for visitors and executive parking along the west side of the building in the front.

The PC zoning states that parking will be required based on whichever one of the following formulas results in the greater number of off-street parking spaces:

(a) One space for each 2,000 square feet of gross building area, plus one space for each 2,000 square feet of area outside a building used for the processing or manufacturing associated with the proposed use, plus adequate spaces for visitor parking and for company and service vehicles; OR

(b) Two spaces for each three employees, based on the maximum number of employees working on any one shift, plus adequate spaces for visitor parking and for company and service vehicles.

Formula (b) would be used in this instance, as it is the formula that results in the greater number of parking spaces. Based on this formula, and the applicant's statement that 65 is the maximum number of employees working on any one shift, the total of 90 parking spaces shown on the plan will meet the parking requirement.

At the time of any future development, the parking situation would again be reviewed, and parking would be required for the total development based on the formulas given above or any amendment thereto.

The parking spaces and access areas shall be blacktopped, double striped and bumpered in accordance with city parking standards.

The plot plan now submitted is in too small a scale to precisely check the measurements of the individual parking spaces; therefore, a plan in a larger scale will be required. This plan shall show the dimension of all parking spaces, and the placement of the bumpers and the double striping, and shall be submitted to the Community Development Department prior to the issuance of the building permit. This plan may be accomplished in connection with the landscape plan, if desired.

The parking plan shall be implemented substantially as approved prior to occupancy, or a bond shall be posted to guarantee the implementation of the parking plan immediately after occupancy.

This exhibit also shows the areas on the site that are proposed to be landscaped. A precise landscape plan, showing the size and species of plants and the facilities for irrigation, will be required to be submitted to and approved by the Planning Commission prior to the issuance of the building permit. This plan shall show the location of the existing street trees. The landscaping shall be implemented substantially as approved prior to occupancy, or a bond shall be posted to guarantee the implementation of the landscape plan immediately after occupancy.

All public and private landscaping areas shall meet the requirements of the Recreation and Parks Department, and shall be permanently maintained with healthy, growing plant material, relatively free from weeds. All landscaped areas which are located within or adjacent to parking or vehicular traffic areas shall be protected from vehicular traffic by the installation of portland cement concrete or plant-mix asphaltic concrete curbing.

Exhibit D - Elevation Plans

This exhibit shows the architectural features of the building.

The over-all height of the building is shown to be 20 feet. The exterior of the building will be steel in varying shades of gold, for the north, east and south elevations, and a portion of the west elevation. The projecting office portion of the west elevation will be blue. The north and south elevations each contain a single overhead door; the east elevation contains five overhead doors.

The utility vault enclosure is proposed to be slumpstone on three sides, and open to the rear with screening, and will have a metal cover. The total height of the structure is shown to be 7 feet. This height may be increased slightly, and in this event, the final height of the vault enclosure shall be approved by the Community Development Department.

The utility vault and enclosure shall be constructed in accordance with the specifications and meeting the requirements of the Pacific Gas and Electric Company and the Southern Counties Gas Company.

The applicant states that construction is scheduled to begin in March of 1970, with completion scheduled for March of 1971.

The location of the trash container area shall be surfaced in concrete and shall be approved by the Public Works Department.

Any signs shall meet the requirements of the City Sign Code, and a sign permit is required.

Public improvements, where lacking, shall be accomplished under the subdivision requirements of Skyway Industrial Park, Tract No. 5011.

All surface drainage shall be handled in accordance with the requirements of the Public Works Department; any drainage discharged into Industrial Parkway shall be directed to one or more sumps upon the property and then drain through pipes through the curb to the public right-of-way in accordance with specifications of the Public Works Department.

A grading and drainage plan for the lot shall be submitted to and approved by the Public Works Department.

All public utility services, including electrical, telephone and community television antenna services, shall be placed underground in accordance with city requirements.

A drainage fee of \$500 per acre will be required to be paid in accordance with the requirements of the Santa Barbara County Flood Control District prior to the issuance of the building permit. If the fee has been paid, a letter from the Flood Control District stating this fact shall be submitted.

The storage of oil and any other flammable materials shall meet the requirements of the Fire Department.



CITY OF
SANTA MARIA

LaVonne McGee

COMMUNITY DEVELOPMENT DEPARTMENT

even

J. W. ABRAHAM, DIRECTOR

P. O. Box 1189
WALNUT 5-0951

Mr Berry -

Tacked is Exhibit A for
demo which contains the
amended page 3 re parking.

lm

**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 1.3

1972, Hazardous Waste Control Act (HWCA) Article

Industrial Waste Bill Is Now Law

SACRAMENTO (UPI) — Gov. Ronald Reagan has signed a bill requiring the state Department of Public Health to adopt regulations for handling and disposing of hazardous industrial waste.

The bill by Assemblyman John F. Dunlap, D-Napa, also requires the department to prepare a list of hazardous waste substances generated in the state.

By placing new controls on industry's handling of waste, Dunlap said, he hopes "it will become more advantageous to recycle rather than to simply abandon such substances in the nearest dump where the volatile substances are apt to spread into the community."

**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 1.4

1971, HWCA Article

Assembly Okays Bill Controlling Toxic Wastes

SACRAMENTO — Legislation prohibiting the release of wastes hazardous to human health was approved overwhelmingly by the Assembly this week. Assembly Bill 2914 by Assemblyman John F. Dunlap (D-Napa, Solano) is designed to encourage recycling of industrial waste material.

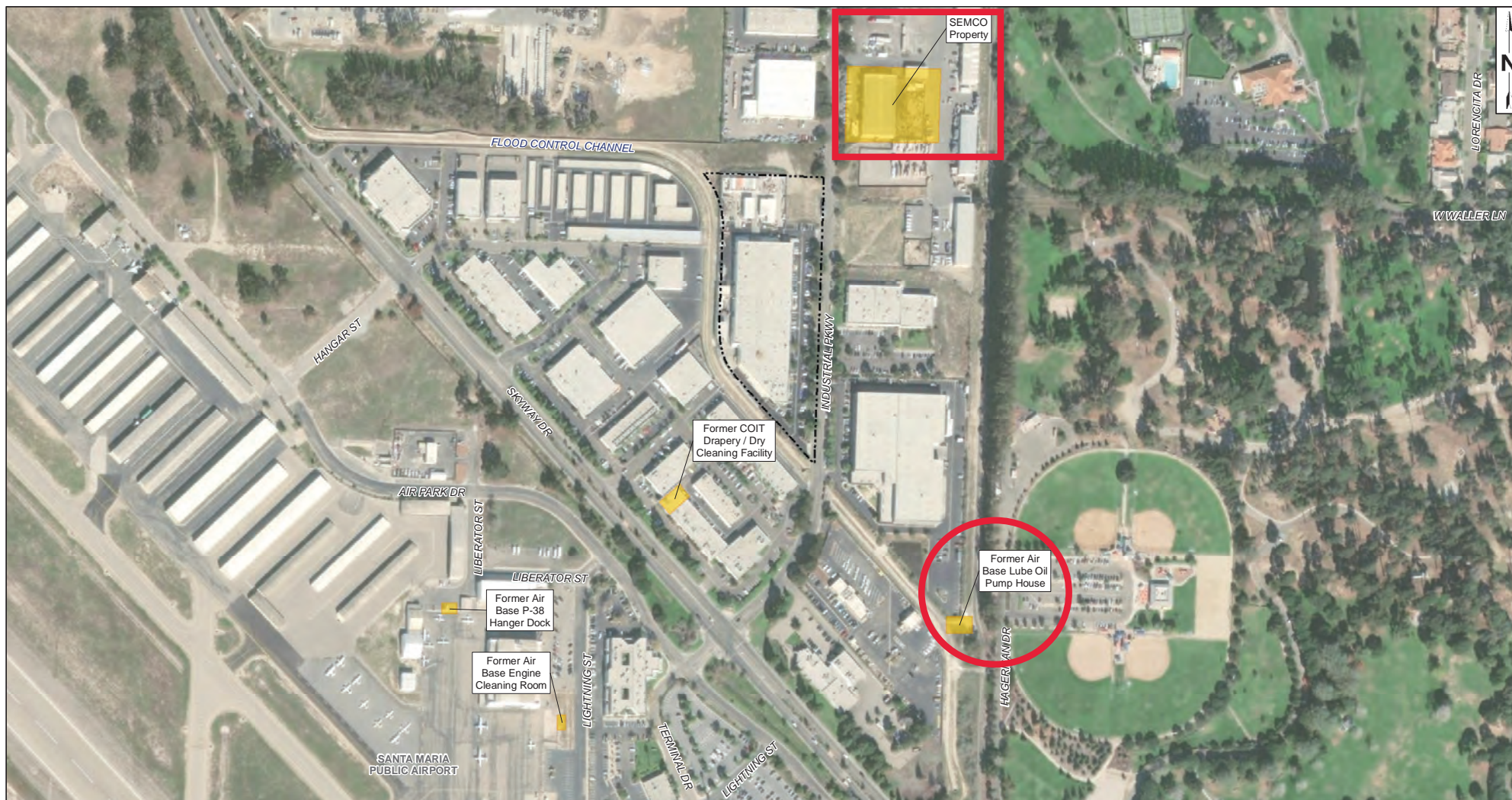
Dunlap said, "The major purpose of this bill is to prevent the spread of certain hazardous wastes through the atmosphere. The state Regional Quality Control Boards are basically doing a good job of preventing contamination of water. Certain volatile substances are, however, being disposed in open air dumps with insufficient supervision and control to prevent the possibility of creating serious risks of injury or disease to human and animal life."

The bill amends the Health and Safety Code to require that such toxics be stored in closed containers or be recycled. It further requires that manufacturers and transporters of industrial waste file a report describing the effluents stored or transported.

**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 2.1

2019 Mafi Trench Site Diagram (Padres, Plate 3, showing “Former Air
Base Lube Oil Pump House”)



LEGEND

- PROPERTY BOUNDARY LINE
- POTENTIAL SOURCES OF CHLORINATED VOCs

NOTES:

1. DATA SOURCES: SANTA BARBARA COUNTY ASSESSOR, ESRI ONLINE BASEMAP (DIGITALGLOBE 11/2016)
2. COORDINATE SYSTEM: NAD 1983 STATEPLANE CALIFORNIA V FIPS 0405 FEET
3. VOCs = VOLATILE ORGANIC COMPOUNDS
4. THIS MAP WAS CREATED FOR INFORMATIONAL AND DISPLAY PURPOSES ONLY.

padre
associates, inc.
ENGINEERS, GEOLOGISTS &
ENVIRONMENTAL SCIENTISTS

PROJECT NAME: EFT Enterprises, L.P.
3037 Industrial Park Way
City of Santa Maria,
Santa Barbara County, CA
PROJECT NUMBER: 1801-3361
DATE: December 2018

**SITE PLAN SHOWING
POTENTIAL SOURCES OF
CHLORINATED VOCs**

PLATE
3

SITE CONCEPTUAL MODEL

**3037 INDUSTRIAL PARKWAY
SANTA MARIA, SANTA BARBARA COUNTY, CALIFORNIA
(GLOBAL ID NO. SLT3S0301290)**

Prepared for:
EFT Enterprises, L.P.

January 2019

**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 2.2

1945 Santa Maria Times, Article RE Santa Maria Army Airfield Closing
and Jet Training

POWERED BY
NewspapersTM

Santa Maria Army Air Field will be "temporarily inactivated" by the end of this year, according to a War Department announcement received by Col. Barton M. Russell, field commanding officer, this morning.

The directive, issued by the War Department bureau of public relations, read:

"You are authorized to announce the temporary inactivation of Santa Maria Army Air Field, Santa Maria, Calif., on or about December 31, 1945."

Commander's Statement

Col. Russell immediately issued the following statement:

"Public relations has received an announcement of deactivation of Santa Maria Army Air Field as of Dec. 31, 1945.

"No immediate announcements have been made as to plans for deactivation or as to date that sections on the field may discontinue operations.

"It is desired that all employees cooperate with this command by continuing at their jobs until such time and details and plans are announced, as announcement of such plans may affect continued employment of a number of people."

Mark Cocuzzi, meteorologist on the air field, said this morning that the Department of Commerce will continue a permanent weather station in Santa Maria but that plans have not been completed for an exact location. "We have an important station here in the Pacific weather program," he said, "and arrangements are underway to continue activities."

Activated in 1942

The field was originally acti

ties.

Activated in 1942

The field was originally activated in the Spring of 1942, being under construction at that time. It was first under the Fourth Air Force and then the Second Air Force.

On Dec. 16, 1942, Lieut. Col. Adrien Cote came to the field from San Bernardino to assume command for the Air Service Command and to activate and train service groups. The field was under his command until April 28, 1943 when Col. Haynie McCormick became commander.

Col. McCormick remained here until Sept. 16, 1943 when the Fourth Air Force once again took over the field and Col. LeRoy Walthall was sent here as commanding officer for the training of P-38 pilots.

The latter part of March, 1944, Col. Ralph A. Snavely became commanding officer, remaining here two days at which time, on April 1, 1944, Col. Richard Grussendorf replaced him. Col. Grussendorf served until the latter part of December 1944 when Col.

of 100 photos.

S The latter part of March, 1944, th
r Col. Ralph A. Snavely became th
n commanding officer, remaining
- here two days at which time, on
- April 1, 1944, Col. Richard Gruss-
- sendorf replaced him. Col. Grus-
O sendorf served until the latter
- part of December 1944 when Col.
D Barton Russell, the present com-
- manding officer, assumed com-
S mand of the field.

Trained Jet Pilots

y Recently the field switched
f from the training of P-38 pilots
v to P-51 instruction. Jet training
t has also been carried on here
- recently the field being one of
r few in the United States training
v in jet propulsion motors.
e
k

Col. John S. Chennault, son
of Maj. Gen. Claire Chennault, or
former commander of the 14th at

Continued on Page 8, Col. 3

Air Field Closing Set For Year's End

Continued from Page 1

Air Force and of the Flying Tigers, was at one time stationed on the field.

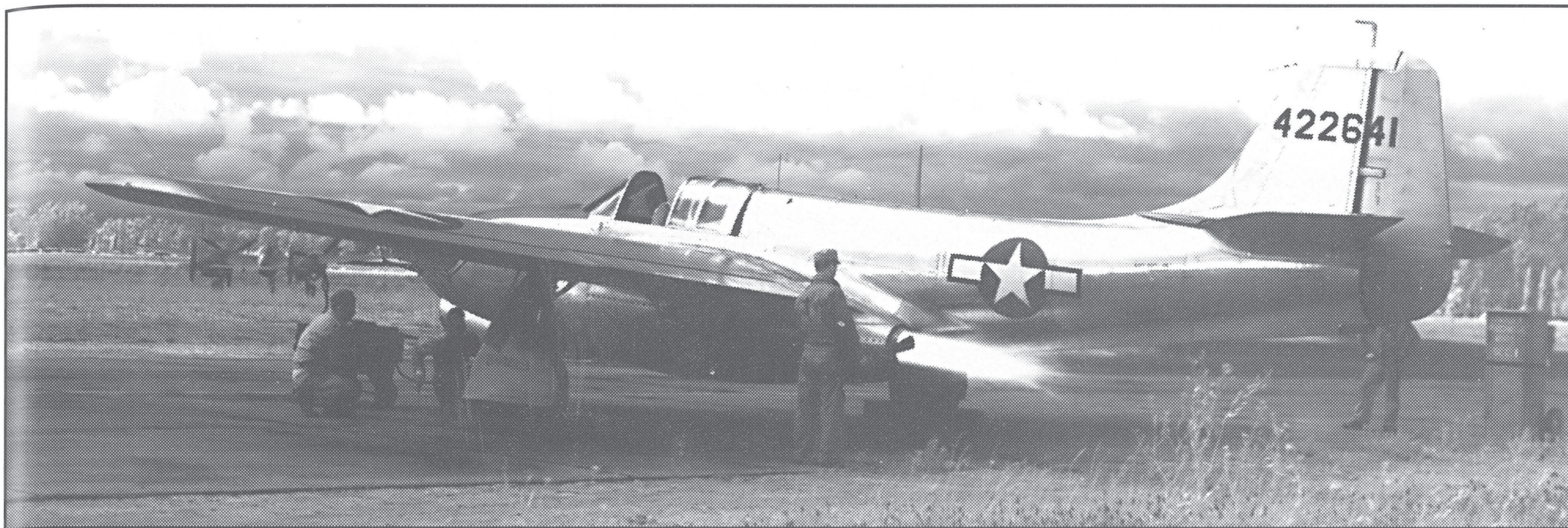
The first contingent of Wacs arrived on the field the final week of August, 1944, commanded by Lieut Mary E. Linton.

The first wedding performed in the Air Field Chapel was that of Miss Lee Porter and Lieut. Edward Roed, postal officer and theater officer, on April 10, 1943. Latter he became field public relations officer.

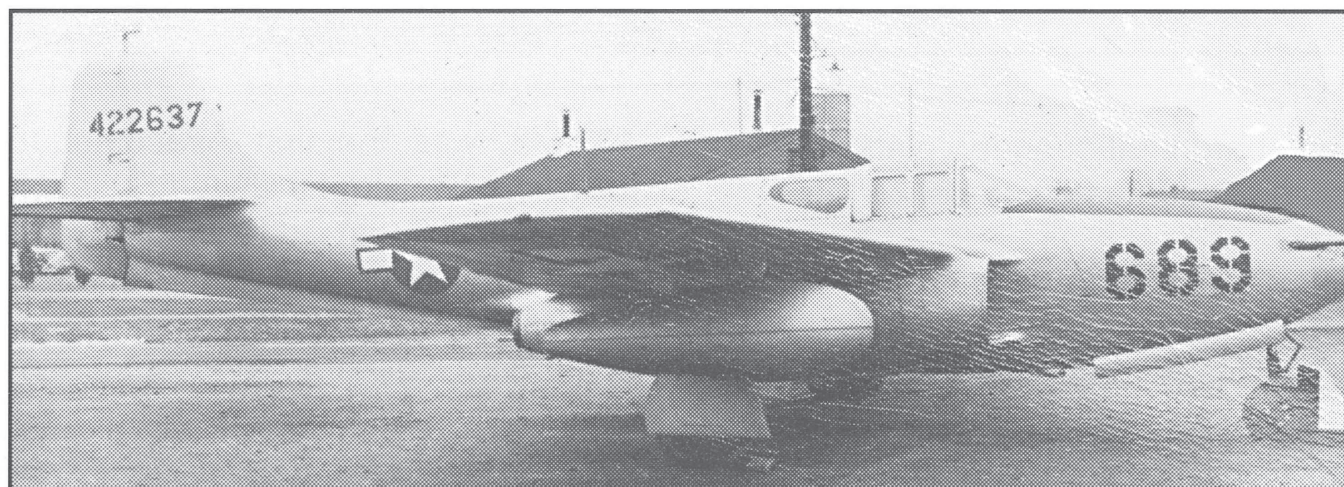
**Technical Comments on Behalf of the Santa Maria Public Airport District on
the SEMCO Draft Cleanup and Abatement Order**

ATTACHMENT 2.3

Excerpts from Bell P-59 Aeracomet book illustrating 1945 jet operations at
the Santa Maria Army Airfield (Citation: Pace, photos by Lionel Paul)



Above, the 13th P-59B 44-22641 runs up the left engine at twilight, making it look like it had an afterburner, at Santa Maria, California, on 28 May 1945. The exhaust flame, looking like a comet's tail, led to the aircraft's official name - Airacomet. (AFFTC/HO) **Below**, P-59B-1-BE 44-22637 at Santa Maria in 1945. (via Lionel Paul)



were all gone - the 412th having completed its transition to P-80s Shooting Stars.

The plane's drawbacks could not be minimized, however. Not only had the Airacomet proved sluggish in performance – contemporary piston-powered and propeller-driven fighters literally flew circles around it – it was also unstable at high yaw angles, which required vigorous rudder correction. The aircraft had a tendency to snake, another characteristic of early jets. It therefore was not suited for combat. Being too slow and too